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8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10 OAKLAND DIVISION

11 In re
12 INDEPENDENT ADOPTION CENTER,
13 Debtor.

14 MARLENE G. WEINSTEIN, Trustee,
15 Plaintiff,

16 v.
17

18 GREGORY S. KUHL, SUSAN SPARLING,
ALEX KAPLAN, NANCY WORRELL, DAN
19 WARD, WILLIAM KINNANE, CHRISTINE
ZWERLING, MARCIA HODGES, and
20 NAVIGATORS INSURANCE COMPANY, a
New York corporation,
21

22 Defendants.
23
24

Case 4:18-cv-01351-HSG

**STIPULATION SETTING BRIEFING
SCHEDULE AND HEARING DATE OF
MOTION TO WITHDRAW THE
REFERENCE, AND ORDER [Local Rule 7-
12]**

HEARING DATE: July 11, 2018
HEARING TIME: 2:00 p.m.
LOCATION: 1301 Clay St., Courtroom 2
JUDGE: Hon. Haywood S. Gilliam, Jr.

[Bankruptcy Case No. 17-40327 RLE,
Adversary Proceeding No. 17-04020 RLE]

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26 This Stipulation is entered into by and between Plaintiff Marlene G. Weinstein, Chapter 7
27 Trustee of the estate of Independent Adoption Center, by and through her counsel Jeffrey L.
28 Fillerup of Rincon Law LLP, and Defendant Marcia Hodges (“Hodges”), by and through her

1 counsel Joanne Madden of LeclairRyan, LLP, as follows:

2 WHEREAS, on February 3, 2017, Independent Adoption Center (the “Debtor”) filed a
3 Chapter 7 bankruptcy petition, Bankruptcy Case No. 17-40327 RLE;

4 WHEREAS, Plaintiff Marlene G. Weinstein was appointed as the Chapter 7 Trustee of the
5 Debtor’s estate (the “Trustee”);

6 WHEREAS, on March 21, 2017, the Trustee filed an adversary proceeding, A.P. No. 17-
7 4020 RLE (the “Adversary Proceeding”), against certain former members of the Debtor’s Board
8 of Directors, referred to as the Director Defendants, and a former officer of the Debtor, Marcia
9 Hodges;

10 WHEREAS, Marcia Hodges filed a motion to withdraw the reference of the Adversary
11 Proceeding from the Bankruptcy Court to this Court, and such motion was assigned Case No. 18-
12 cv-01351-HSG;

13 WHEREAS, the Director Defendants filed a motion to withdraw the reference of the
14 Adversary Proceeding from the Bankruptcy Court to this Court, and such motion was assigned
15 Case No. 18-cv-01545-HSG;

16 WHEREAS, the Trustee plans to oppose the two motions to withdraw the reference;

17 WHEREAS, the two motions to withdraw the reference relate to the same case in the
18 Bankruptcy Court (A.P. No. 17-04020-RLE), so the parties believe that it is in the interest of
19 judicial economy to have the same briefing schedule and hearing date for both motions to
20 withdraw the reference; and

21 WHEREAS, the parties enter into this Stipulation pursuant to Local Rule 7-12 and seek
22 an order approving the common dates for the further briefing of the motions and the setting of the
23 hearing date for the two motions at the same time, as follows:

24 1. The hearing date of the Marcia Hodges’ motion to withdraw the reference (Case
25 No. 18-cv-01351-HSG) will be set for **July 11, 2018 at 2:00 p.m.** in Courtroom 2, 4th Floor,
26 1301 Clay Street, Oakland, California.

27 2. The date for the Trustee’s filing of an opposition to Marcia Hodges’ motion to
28 withdraw the reference is set for **May 29, 2018.**

1 3. The reply brief in support of the motion to withdraw the reference is set for **June**
2 **12, 2018.**

3 4. Any prior hearing dates and briefing schedules are taken off calendar.

4 IT IS SO STIPULATED.

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6 DATED: May 16, 2018

RINCON LAW LLP

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8 By: /s/Jeffrey L. Fillerup

Jeffrey L. Fillerup

9 Attorneys for Plaintiff Marlene G. Weinstein,
10 Chapter 7 Trustee

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12 DATED: May 17, 2018

LECLAIRRYAN, LLP

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14 By: /s/Joanne Madden

Joanne Madden

15 Attorneys for Defendant Marcia Hodges

16
17 **ORDER**

18 Based on the foregoing Stipulation, and for good cause appearing, IT IS HEREBY
19 ORDERED that the foregoing stipulation is approved and is ordered.

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21 DATED: 5/17/2018

22 By: 
23 Hon. Haywood S. Gilliam, Jr.
24 United States District Judge
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